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THE WEATHER
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SUIT FILED AGAINST MOTION PICTURE AND FILM COMBINATION

Attorney General in Bill Filed in
Philadelphia, Charges Violation
of the Anti-Trust Law.

SEVERAL CORPORATIONS NAMED

Motion Picture Patents and General
Film Companies Defendants.

CONTROL MANY THEATERS

Arbitrary Restraints Enable Them
to Close Any House They Wish.

NEW POINT RAISED IN CASE

Court Sincerely Asked to Define the
Relation of Sherman Anti-
Trust Act to Patent
Laws.

PHILADELPHIA, Aug. 16.—The federal government attacked the so-called motion picture trust in a civil suit filed here today for the dissolution of the Motion Picture Patents company and the General Film company. Ten prominent film concerns are accused of combining to monopolize the business, even to the extent of increasing the price of the picture and of increasing the number of motion picture theaters, in which they have no proprietary interest.

The following corporations and individuals, who are officers or directors, are named defendants:

Motion Picture Patents company; General Film company, Biograph company, Thomas A. Edison (inc), Essanay Film Manufacturing company, the Kalem company (inc); George Kleine; Lubin Manufacturing company, Melies Manufacturing company, Pathe Freres, the Zelig Polyscope company, the Vitagraph company of America; Armat Moving Picture company, Frank L. Dyer, Henry N. Marvin, J. J. Kennedy, William P. Selzer, Samuel Long, J. A. Berst, Stegmuller, Lubin, Gaston Melies, Albert Esmuh, George K. Spoor and W. N. Zelig.

Charges in Complaint.

Each of the defendants is alleged to have overstepped the bounds of the lawful monopoly granted by their patents and the petition asks that several complicated interlocking license restrictions, tying patents together, be ordered cancelled.

The government charges that unreasonable and oppressive restraints and conditions have been arbitrarily imposed on the manufacture and leasing of films and machines, depriving the public of the advantages of competition, especially the competition of foreign films, the importation of which is alleged to be restricted.

Edwin P. Gross, special assistant to the attorney general, who has charge of the pending suit, filed against the International Harvester company, made an exhaustive investigation of the motion picture business, drawing the petition filed today by United States attorney John C. Swartley. In addition the bill is signed by Attorney General Wickesham and James A. Fowler, his assistant.

Business Grows Rapidly.

The government's petition says between 3,500,000 and 3,000,000 feet of pictures are printed each week by manufacturers and distributed to thousands of exhibitors all over the United States. The government declares that a sum greatly in excess of \$100,000,000 has been invested in the different branches of the business. The defendants control, it is added, from 70 to 80 per cent of the film business, furnishing approximately 7,000 exhibitors. The Motion Picture Patents company, organized in New Jersey in September, 1908, is the holding company of all the motion picture patents of the defendants. Other than collecting and distributing royalties among the defendants, the bill says the patents occupy the only business in the bringing of lawsuits under the patents it holds. Hundreds of suits have been brought, it is alleged, "to harass and oppress all persons engaged in the motion picture business who have not obeyed its mandates."

The alleged unlawful combination of the defendants became effective January (Continued on Page Two.)

Official Returns in Missouri Show Major Nominated

JEFFERSON CITY, Mo., Aug. 16.—Official returns of the state primary August 6, issued today by Secretary of State Roach, show that Attorney General Elliott W. Major's plurality over former Congressman W. S. Cowherd of Kansas City for the democratic nomination for governor is 2,742. The morning following the election Major's political friends conceded his defeat by about 10,000, although the attorney general himself maintained that returns from the country counties would overcome Cowherd's big lead in city precincts.

For the republican nomination John C. McKinley defeated his nearest opponent, L. W. Quick, by 57,142.

The democratic vote for governor was: Major, 92,233; Cowherd, 89,491; Houchin, 20,861; Bolte, 13,674; Ball, 10,220.

John T. Barker of La Plata beat Frank W. McAllister of Paris for attorney general on the democratic ticket by 1,453 votes. Barker's vote was 82,770 and that of McAllister 81,316.

James P. Alford of Springfield defeated R. D. Silver of St. Charles for secretary of state by 455. Alford's vote was 70,911 and Silver's 70,456. Silver ran as the republican administration candidate.

Hamlin Makes Graft Charge Against the Department of State

WASHINGTON, Aug. 16.—Charges of loose and dangerous practices in the State department's expenditure of its secret emergency fund were renewed in an informal report today by Representative Hamlin of Missouri, chairman of the house committee, which investigated what is termed "the astounding condition of affairs in the department." The investigation will go over until next winter.

Mr. Hamlin reiterated that Secretary Knox had used a negro messenger from his department as a valet on his recent Central American trip; that a picture of former Secretary Day, now a justice of the supreme court, had been paid for by a misappropriation for which the committee had recommended the dismissal of William H. Michael, then chief of the department, but now consul at Calcutta.

"The president seems to have taken no action," was the comment as to Mr. Michael's case.

The report says the committee discovered \$72,000 spent from appropriations of only \$675,000, and that other money was improperly used to make up the deficit.

The informal report will be the only action of the committee at this session.

Coffee Firm Loses Hundred Thousand Dollars in Week

CHICAGO, Aug. 16.—Richner & Co., coffee merchants, were filed against in the federal bankruptcy court today after sustaining losses of more than \$100,000 in three weeks. Counsel announced that the firm had failed because of the operations of an aggregation of coffee men in New York who with Brazilian interests were attempting to control the coffee output. In the petition filed against the coffee-firm liabilities were given as \$336,000 and assets of \$255,000.

More United States Marines at Managua

MANAGUA, Nicaragua, Aug. 15.—(Delayed in Transmission.)—Captain Warren J. Topham, commander of the United States garrison at Managua, with the force of American marines composed of eleven officers and 254 men, which arrived at Corinto yesterday from Panama on the United States collier Justin, arrived safely in the capital this morning.

"The combined force of American blue-jackets and marines now numbers nearly 400 officers and men and their presence has greatly relieved the situation.

The bombardment of the city by the rebels under Generals Mena and Zeledon ceased this morning and the revolutionaries are now retreating toward the town of Masaya.

WASHINGTON, Aug. 16.—The 360 marines landed by the collier Justin at Corinto have been sent to Managua to reinforce the blue-jackets from the gunboat Annapolis. Americans and other foreigners at Managua have been informed by the government that they must be prepared to protect themselves.

Cazad Roller Mill Burns to the Ground

COZAD, Neb., Aug. 15.—(Special Telegram.)—The Cozad roller mill, owned by J. J. Darnor, a this city, burned to the ground last night just before midnight and is a total loss. About 7,000 bushels of wheat was stored in the mill and was completely destroyed. The cause of the fire is not known and smoke was pouring from all the windows when the fire was discovered. The building was constructed of heavy timbers and burned fiercely for about two hours. The plant was worth between \$25,000 and \$30,000 and \$18,000 insurance was carried. It is not yet known whether or not the mill will be rebuilt. This is the largest loss by fire that has ever occurred in this city.

Secretary Wilson Is Seventy-Seven

WASHINGTON, Aug. 16.—"Tama Jim" Wilson, secretary of agriculture and the oldest man in President Taft's cabinet, today enjoyed his 77th birthday. Secretary Wilson said he was looking forward to quitting public life on March 5th next, so that he might go home among his grandchildren. "Don his overalls and move around among the common people."

Mr. Wilson has exceeded by four years the record for long service in the cabinet and under his regime the scope of the Department of Agriculture has been widely extended.

OROZCO DECIDES TO EVACUATE JUAREZ

Mexican Rebel Leader Marches His
Army from City, Leaving Only
a Small Guard Behind.

STORES AND SHOPS ARE CLOSED

Border Patrols Stop All Traffic from
the American Side.

GUARDS LOOT CUSTOMS HOUSE

Consuls Organize Citizens' Com-
mittee to Protect City.

MAY CROSS INTO UNITED STATES

Indications That Bands Retreating
Toward Sonora May Take Short
Cut Across Southern Part
of New Mexico.

JUAREZ, Mex., Aug. 16.—General Pascual Orozco evacuated Juarez today, leaving behind a small rebel guard to preserve order until the arrival of federal troops. The guards looted the customs house, but secured no money. The American and German consuls organized a citizens' committee to protect the city. All saloons and most of the stores were closed.

United States border patrols stopped all traffic from the American side.

General Orozco, up to the hour of his departure, declared he would not treat for peace so long as Madero is president of Mexico.

May Try Short Cut.

EL PASO, Tex., Aug. 16.—An invasion of American soil by Mexican rebel troops is feared by United States army officers and it has been learned on reliable authority that this has led to the rushing here of additional cavalry from Fort Sam Houston.

The point considered in danger is on the New Mexican boundary just west of Columbus, N. M., opposite to which town more than 1,000 rebels are located.

At a point 100 miles west of El Paso the New Mexican line bounding on old Mexico turns abruptly to the south for thirty miles and there resumes a course due west. It is this short cut "across the line" that it is feared the rebels at Juarez will employ in making the retreat into Sonora coincident with Orozco's evacuation of Juarez.

Federals are guarding the passes along the border to the west and by cutting across this slice of New Mexico, a ranch and mining country sparsely inhabited, the rebels could evade the federal forces and enter Sonora without danger of an engagement. The three troops of the Third cavalry due here tomorrow morning are expected to be rushed to Columbus, where four troops of the Third cavalry are stationed.

Troops Have Mimic War in Kansas

LEAVENWORTH, Kan., Aug. 16.—The mobilization of troops for the mimic war in Kansas next week began today, when the main column of troops left the army post here for the march to Merriam, Kan., where the headquarters of the Blue army will be established.

The command consisted of the entire Seventh infantry, second squadron of the Fifteenth cavalry, second battalion of engineers and signal and ambulance corps. This column will make up the greater part of the Blue army.

The two "bases" for the maneuvers will be Merriam and Lawrence. The Red army, according to present plans, will be the defenders of Fort Leavenworth and operating out of Lawrence will try to prevent the Blue army, operating from Merriam, from capturing the fort.

Five thousand men, regulars and state militia from Kansas, Missouri and Oklahoma will take part in the war.

Train on Moffat Road Goes Into the Ditch

DENVER, Colo., Aug. 16.—Several persons were injured, but none killed when train No. 1 on the Denver Northwestern & Pacific, the Moffat road, was derailed five miles east of Sulphur Springs, eighty miles from Denver, at 11 o'clock this evening.

The engine, baggage car and a combination coach rolled into the ditch, tearing down telegraph and telephone poles and cutting off all communication with points near the wreck. Details as to the cause of the wreck are lacking.

BOY AVIATOR CARRIES PASSENGER SEVENTY MILES

ATLANTIC CITY, N. J., Aug. 16.—Grover C. Bergdoll, 29 years old law student at the University of Pennsylvania and a member of a wealthy Philadelphia family, accomplished an aeroplane flight with a passenger from Philadelphia to Atlantic City, about seventy miles, early today, landing at the lower end of the resort without mishap. His passenger was Charles Krouse, a mechanic. Bergdoll maintained an average speed of about fifty miles an hour. His greatest altitude was 7,000 feet.

BUZZINGS

Rev. Charles W. Savidge made his debut in Omaha as a Methodist minister, but as there were not enough marriages in the fold to keep him busy, he organized his own People's church and went into full partnership with cupid.

Although he once tried his hand at editing a newspaper, General Frederick A. Smith could not persuade himself that the pen is mightier than the sword and now he is a brigadier general in Uncle Sam's army.

Clem Chase still blushes every time he sees that electric sign flash forth "Chases Dirt."

A Quadruple Infliction



From the Washington Herald.

ROOSEVELT OPENS CAMPAIGN

Colonel Fires Opening Gun at
Providence, R. I.

DENOUNCES OLDER PARTIES

He Says Ordinary Voter Has Nothing
to Hope for from Either,
as Both Are Controlled
by Bosses.

PROVIDENCE, R. I., Aug. 15.—An appeal for leadership from New England in the movement of the progressive party was made here tonight by Colonel Roosevelt in his first speech since his nomination in Chicago.

He declared that the ordinary voter had nothing to hope for from the success of either the democratic or republican parties, which he asserted are equally boss ridden. The tariff, especially as it concerned the New England states, was one of the main topics of the speaker, who said in part:

"I take particular pleasure in making my first speech as nominee of the progressive party here in Rhode Island. You have suffered, as in my own state of New York we have suffered, from boss politics in the most extreme form of development. The progressive movement is aimed at the rotten machines, the rotten boss systems of both parties. Only by supporting the progressive party can you strike any effective blow against boss rule and machine and ring politics in the United States.

Parties of Bosses.

"The success of the democratic national ticket means entrenching in power one set of bosses; the success of the republican national ticket means entrenching in power the other set of bosses. The effort at this time to rebuke one set of bosses by voting for the candidate of the other set of bosses is from its very nature bound to result in mere futility.

"The differences between the men who really dominate the two parties are merely the differences between great corporation attorneys who for the moment represent different corporations, but who come together instantly against any movement which is meant to establish the people as masters over both. To try to punish one set of defenders of political and industrial privilege by occasionally voting for the nominee of the other set is to play into the hands of both. We progressives stand against both. We propose to drive them both from power for all time, and to substitute for their power the real and genuine rule of the people.

"There is peculiar need of leadership for this fight in New England. It has been a matter of concern to me to see so many of those here in New England who should be leaders in the new movement turn cold-heartedly from it. I believe that half of the opposition to our course in New England is due to sheer plain ignorance, half of the remainder to hard-shelled prejudice and the other half of the remainder to craven fear of what is new.

Prizes His Platform.

"The progressive platform has really faced the real issues of today. It has done this as regards the trust, as regards the rights of labor, as regards the tariff. I do not see how the people of New England can for one moment support either the republican or the democratic tariff platform. Remember that when I use the word republican now I do not refer to the rank and file of the republican party, but to the bosses who have usurped the control of the machinery of the party. The republican proposal is a tariff for privilege in industry. The democratic proposal is a tariff for the destruction of industry. The progressive proposal is a tariff in the interest of labor in industry."

Charged with Failing to Deliver Prizes in Newspaper Contest

TOLEDO, O., Aug. 16.—W. E. Ashley of Fond Du Lac was arrested at Fremont today by Postoffice inspectors Carl Ege and George Chase of Fargo, N. D., and brought here for arraignment on the charge of failing to make good on prizes offered in a newspaper circulation contest in Fargo, after sending the papers through the mails. He pleaded not guilty before a United States commissioner and was held in jail of \$1,000 pending his removal to the jurisdiction of the United States court at Fargo. The officers said that M. H. Hatcher and A. M. Baker, alleged accomplices of Ashley, were under arrest in Fargo.

Senate Adopts the Conference Report on Panama Bill

WASHINGTON, Aug. 16.—The conference report on the Panama canal bill containing the provisions against "trust owned" ships and granting free tolls to certain American vessels was adopted by the senate today, 48 to 18, after a futile fight against it led by Senator Brandegee, chairman of the Panama canal committee.

Senate Refuses to Pass Steel Bill Over Taft's Veto

WASHINGTON, Aug. 16.—An attempt to pass the steel tariff revision bill over the president's veto, led by Senator Simmons, was lost in the senate today, 29 to 52. The house had passed it over Mr. Taft's disapproval.

Woman Executed at Richmond, Va.

RICHMOND, Va., Aug. 15.—Virginia Christian, a negro and the first woman to be put to death in the electric chair in Virginia, was executed early today. Governor Mann refused to yield to the entreaties for clemency by several Chicago people. Virginia was convicted of a deliberate and atrociously cruel murder and robbery of her employer, Mrs. Ida Virginia Belote at Hampton, Va., March 18, 1912.

Pardon Refused Warriner.

COLUMBUS, O., Aug. 16.—The state board of administration, sitting as a parole board, today refused to parole Charles L. Warriner, "Big Four" embezzler from Cincinnati. Warriner is serving six years for the embezzlement of \$63,500 from the Big Four treasury. This was his second application.

The National Capital

The Senate.

Convened at 10 a. m.
Agreed to consider campaign contributions bill Saturday, bills of adding \$10 Monday and vocational school bill Tuesday.

Conference report on Panama canal bill was approved by a vote of 48 to 18 after a fight against it led by Chairman Brandegee.

The House.

Convened at noon.
Chairman Hamlin of the State department expenditures committee filed information report reviving old charges of dangerous practices in expenditures by the State department.

Representative Warburton in a set speech denounced pre-convention campaign in Washington state.

M'CORMICK IS OPTIMISTIC

Bull Moose Leader Says Roosevelt
Will Carry New York.

HE MAKES MANY PREDICTIONS

He Says Republican Ticket Will Run
Third in Vermont—Dixon
Says Roosevelt is in
Great Demand.

CHICAGO, Aug. 16.—Medill McCormick returned to progressive headquarters in Chicago from New York today and declared that Colonel Roosevelt would carry New York because of the feeling among up state democrats against men active in Mr. Wilson's behalf and antipathy of up state republicans as to President Taft.

"I was amazed at the situation," said Mr. McCormick. "I am convinced that Colonel Roosevelt will carry the state with a handsome margin.

"President Taft will not carry a single New England state, not even Rhode Island." The republican state ticket will run third in Vermont.

Mr. McCormick said the progressive executive committee which will direct the campaign practically had been decided upon, but that announcement of the membership would not be made for two or three days.

"The list of members has been submitted to Governor Johnson for his approval," said Mr. McCormick. He also stated that much of Colonel Roosevelt's speaking itinerary had been mapped out and that Senator Dixon and leaders in New York were at work on the itinerary for Governor Johnson.

"There are insistent requests for Colonel Roosevelt in the west," said the Illinois progressive leader. "Cities and towns of comparatively small population guarantee crowds of from 2,000 to 50,000 if the colonel will agree to speak. Idaho Falls, Idaho, is among the cities that have put in such requests with guarantees of big crowds. There are a score of others."

Senator Dixon will return to Chicago from New York next Wednesday, at which time an important conference of party leaders is expected to be held.

Want Wilson to Tour Maine.

SEA GIRT, N. J., Aug. 15.—"It has always been found to be a very easy job to make me explicit," remarked Governor Woodrow Wilson today when his attention was called to reports from Oyster Bay that Colonel Roosevelt in his New England speeches would call on the democratic nominee to be more specific in his interpretation of the democratic platform.

The governor admitted that "strong pressure" was being brought to bear on him to have him speak in Maine before the gubernatorial elections on September 9. The governor's present expectation is not to go.

The governor announced that he expected the western headquarters at Chicago to be opened at once. Joseph E. Davies, secretary of the national committee, is due in Chicago on Monday. It is the intention of Mr. Davies after establishing headquarters to make a tour through St. Louis, Denver, San Francisco, Seattle and other western points to determine the best centers for branch headquarters.

Governor Wilson has accepted an invitation to speak at the encampment of Spanish War Veterans at Atlantic City on September 10. The same week, but on different days, Colonel Roosevelt and President Taft have been invited to speak.

The governor received an invitation today to review the Olympic athletes on August 25, but said he probably would be unable to go.

—Killed in Auto Accident.

WHITE HOUSE, N. J., Aug. 15.—Mr. and Mrs. Edward A. Burling of Pettayres, Pa., and their chauffeur, John Kiley, were instantly killed when their automobile upset at Greerbrook, two miles from here, this afternoon.

TAFT DISCUSSES POLITICAL ISSUES OF THE CAMPAIGN

President Receives Republican Edi-
tors of Maryland and Discusses
Question of Party Standing.

ASKING ONLY FOR A FAIR FIGHT

Asserts Electors Dishonest if They
Betray Their Trust.

LINE OF CLEAVAGE TO BE CLEAR

Cannot Be Republican and in Third
Party, Too.

MUST OBSERVE USUAL RULES

Voters Who Are Boilers Should Ac-
knowledge the Fact, and Not
Seek to Be with Both
Parties.

WASHINGTON, Aug. 16.—President Taft today made his first political speech since the one he made when notified of his renomination. Addressing members of the Maryland Republican Editorial association in the east room of the White House, he declared bluntly that presidential electors were dishonest men if they let their names appear on the republican ballot and intended to vote for the candidate of another party. He asserted that those who were not for the republican party were against it and should get out of the way.

"All we ask is a fair fight. A man cannot be in the republican party and in a third party at the same time and should be compelled to make his selection," said the president.

"Regularity or feeling of regularity and respect for the republican party, for what it has done, what it is capable of doing, are going to bring over many a man who has been doubtful and increase that number as we approach the election. It is therefore essential that we make the cleavage as clear as it can be made, so that those who are republicans shall be republicans and those who are with the boilers shall bear their name and title and not be republicans and boilers, because they cannot be, at least they ought not to be, in all fairness."

TWO MEN ARE CHARGED WITH POISONING FOOD

MAHON CITY, Ia., Aug. 16.—(Special.)—On August 5 last John Andropoulos died and twenty-four hours later Alex Jones passed to his final abode. Both of these men died from excess in drinking. It was thought by the police officials that manufactured liquors were responsible for their deaths and an investigation was entered into. The stomachs of the former was sent to Iowa City for examination, and now comes the report that poison was found in the stomach, which caused a warrant for the arrest of Theodore Daviras and Nick Andropoulos, charging them with "mingling poison with food, drink and medicine." The maximum penalty on conviction is ten years in the penitentiary and a fine of \$1,000. The men are now under arrest.

BURBANK WILL TRY TO GROW SPINELESS CACTI

WASHINGTON, Aug. 16.—The senate today passed a bill placing at the disposal of Luther Burbank twelve sections of land in California, New Mexico, Arizona and Nevada for the propagation of the spineless cactus.

The bill provides that if Burbank succeeds in growing on this semi-arid land cacti suitable for animal food, for a period of two years, the land shall be sold to him for the regular \$1.50 an acre, government land price. The bill has already passed the house.

FIVE CARLOADS OF BINDER TWINE IS SENT BY EXPRESS

MINNEAPOLIS, Aug. 16.—The largest single express shipment which ever left Minneapolis was turned over to the Great Northern Express company today by the International Harvester company plant of this city when five carloads of binder twine were consigned to Fargo with a "rush" label on each. The express charges were \$2,375 and the total weight 100,000 pounds.

Druggists Elect Officers.

MILWAUKEE, Wis., Aug. 16.—Dates for the annual convention of the National Association of Retail Druggists today elected the following officers: President, Henry W. Merritt, Plaines, Pa.; vice-president, S. A. Beckstein, Milwaukee; H. W. Ritchey, St. Paul; H. S. Koabes, Peoria, Ia.; secretary, Thomas H. Pettis, Chicago; treasurer, Grant Stevens, Detroit.

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